

Committee Room,
Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. C. R. No. 24, A resolution requesting that the State Text Book Commission, the State Board of Education and the State Superintendent of Public Instruction be requested not to purchase any additional text books for the year 1931-32, etc.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass,
NEAL, Chairman.

Committee Room,
Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 90, A bill to be entitled "An Act to amend Article 2818, R. S. 1925, by providing for the distribution and use of the county available school funds in county line districts derived from the separate counties of which such districts are a part; repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

THIRTEENTH DAY.

Senate Chamber,
Austin, Texas,
September 30, 1931.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following senators answering to their names:

Beck.	Hardin.
Cousins.	Holbrook.
Cunningham.	Hornsby.
DeBerry.	Loy.
Gainer.	Martin.
Greer.	Moore.

Neal.	Small.
Oneal.	Stevenson.
Parr.	Thomason.
Parrish.	Williamson.
Patton.	Woodruff.
Poage.	Woodul.
Purl.	Woodward.
Rawlings.	

Absent—Excused.

Berkeley.	Pollard.
Hopkins.	Russek.

Prayer by the Rev. A. W. Jones of Llano.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Poage:

S. B. No. 51, A bill to be entitled "An Act to amend Article 197 of the Revised Civil Statutes and to apportion the State of Texas into Congressional Districts, naming the counties composing each district and providing for the election of a member of the United States Congress from each such district and repealing all laws and parts of laws in conflict therewith."

Read and referred to Committee on Congressional Districts.

By Senator Moore:

S. B. No. 52, A bill to be entitled "An Act declaring the State of Texas a Congressional District; providing for the election of three Congressmen from the State at large; providing for majority nomination of the said Congressmen and declaring an emergency."

Read and referred to Committee on Congressional Districts.

By Senator Purl:

S. B. No. 53, A bill to be entitled "An Act to amend Article 3109 of the Revised Civil Statutes of 1925, relating to Ballot at Primaries, repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Read and referred to Committee on Congressional Districts.

Senators Excused.

The following Senators were excused for the day on account of important business:

Senator Berkeley, on motion of Senator Moore.

Senator Pollard, on motion of Senator Beck.

Senator Russek, on motion of Senator Patton.

On motion of Senator Holbrook, Senator Hopkins was excused for the day on account of the illness of friends.

Consent to Record Vote.

Senator Parrish received unanimous consent to be recorded as voting "yea" on the final passage of S. B. No. 25.

Motion to Re-commit.

On motion of Senator Oneal, S. B. No. 47 was re-committed to the Committee on State Affairs.

H. C. R. No. 31.

The Chair laid before the Senate: H. C. R. No. 31, Relating to rentals on oil and gas leases.

The resolution was read.

Senator Oneal moved to re-commit the resolution to the Committee on State Affairs. The motion prevailed.

House Bill No. 61.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 61, A bill to be entitled "An Act amending Senate bill No. 17, Chapter 95, Acts of the Regular Session of the Forty-second Legislature by readjusting and reducing appropriations with relation to the payment of the salaries of judges, and the support and maintenance of the judicial department of the State government for the two-year period beginning September 1, 1931, and ending August 31, 1933, and declaring an emergency."

The committee report was adopted.

The committee amendments were adopted.

Senator DeBerry received unanimous consent to be recorded as voting "no" on the adoption of the committee amendments.

The bill was read second time and passed to third reading.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 61 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Berkeley.	Pollard.
Hopkins.	Russek.

Read third time and finally passed.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Sept. 30, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate amendments to House Bill No. 61 and requests the appointment of a conference committee to adjust the differences between the two Houses. The following are appointed on the part of the House:

Hubbard, DeWolfe, Sanders, Ford, and Howsley.

The House has adopted:

H. C. R. No. 35, Making correction to H. B. No. 66.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Court of Impeachment.

At 10 o'clock a. m., on motion of Senator Woodul, the Senate resolved itself into a High Court of Impeachment to hear the charges against Judge J. B. Price of the 21st Judicial District of Texas.

(See Supplement to today's Journal for proceedings.)

In Session.

The Senate was called to order at 11:58 o'clock a. m., by Lieutenant Governor Edgar E. Witt.

H. C. R. No. 35.

The Chair laid before the Senate: H. C. R. No. 35, Authorizing correction of H. B. No. 66.

Read and adopted.

Bills Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 90.

H. B. No. 67.

Message From the House.

Hall of the House of Representatives, Austin, Texas, Sept. 30, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 55, A bill to be entitled "An Act amending Section 3 of the General Laws, Forty-first Legislature, Fourth Called Session, and declaring an emergency."

(With engrossed rider.)

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Conference Granted.

On motion of Senator Purl, the Senate granted the request of the House for a conference committee on H. B. No. 61.

The Chair appointed the following on the part of the Senate:

Senators Beck, Hornsby, DeBerry, Small, and Woodward.

Recess.

On motion of Senator Holbrook, the Senate, at 12:02 o'clock p. m., recessed until 1:55 o'clock p. m.

After Recess.

The Senate met at 1:55 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Court of Impeachment.

On motion of Senator Holbrook, the Senate, at 2 o'clock p. m., re-

solved itself into a high court of impeachment to hear charges against Judge J. B. Price of the Twenty-first Judicial District.

(See Supplement to today's Journal for proceedings.)

In Session.

The Senate was called to order at 5:18 o'clock p. m. by Lieutenant Governor Edgar E. Witt.

Bills Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing and did sign, in the presence of the Senate, after their captions had been read, the following bill and resolution:

H. B. No. 66.

H. C. R. No. 35.

At Ease.

On motion of Senator Moore, the Senate, at 5:20 o'clock p. m., stood at ease for 10 minutes.

In Session.

The Senate was called to order at 5:30 o'clock p. m., by Lieutenant Governor Edgar E. Witt.

Message From the Governor.

Executive Office,
Austin, Texas, Sept. 30, 1931.
To the Members of the Forty-second Legislature:

According to the last enumerated Federal census the State of Texas is entitled to additional members of Congress. Under the Federal and State Constitution and laws it is therefore necessary that the Legislature re-district the State as to congressional representation.

I therefore hereby submit to you the subject of congressional re-districting for your consideration.

Respectfully,

R. S. STERLING,
Governor.

Adjournment.

On motion of Senator Williamson, the Senate, at 5:38 o'clock p. m., adjourned until 9 o'clock tomorrow morning.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 13 carefully examined and compared and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 34 carefully examined and compared and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 14, carefully examined and compared and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 45 carefully examined and compared and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, Sept. 29, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 16 carefully examined and compared and find same correctly enrolled.
GREER, Chairman.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, Sept. 30, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 25 carefully examined and compared and find same correctly engrossed.
HARDIN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Sept. 30, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 84, A bill to be entitled "An Act to amend Article 619, Penal Code of 1925, relating to keeping a gaming table or bank so as to omit reference therein to slot machines, and making it a misdemeanor to keep or exhibit any slot or vending machine for the purpose of gaming, and defining the same; prescribing penalties for a violation thereof; declaring the existence of any slot or vending machine to be against public policy and a public nuisance; declaring the existence of any lottery or raffle to be against public policy and a public nuisance; providing for the seizure and destruction as a nuisance of any slot or vending machine, or any lottery or raffle; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, Sept. 30, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Congressional Districts, to whom was referred

S. B. No. 51, A bill to be entitled "An Act to amend Art. 197 of the Revised Civil Statutes and to apportion the State of Texas into Congressional Districts; naming the Counties composing each district and providing for the election of a member of the United States Congress from each such district; and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendment and be printed in the Journal.

PARRISH, Chairman.

Committee Amendment.

Amend Senate Bill No. 51 by transferring "Robertson" from District No. 6 to District No. 7; and by transferring "Johnson" from District No. 12 to District No. 6; and by transferring "Wood" from District No. 1 to District No. 3; and by transferring "Upshur" from District No. 20 to District No. 1; and by transferring "Denton" from District No. 4 to District No. 13.

S. B. No. 51.

By Poage.

A BILL

To Be Entitled

An Act to amend Art. 197 of the Revised Civil Statutes and to apportion the State of Texas into Congressional Districts naming the Counties composing each district and providing for the election of a member of the United States Congress from each such district and repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Art. 197 of the Revised Statute of this State is hereby amended so as to hereafter read as follows:

"This State shall be apportioned into Congressional Districts composed of the following named counties and each shall be entitled to elect one member of the Congress of the United States."

No. 1. Red River, Bowie, Hopkins, Delta, Cass, Marion, Camp, Morris, Titus, Lamar, Franklin, Wood.

No. 2. San Augustine, Sabine, Jasper, Newton, Tyler, Hardin, Orange, Liberty, Jefferson, Chambers.

No. 3. Kaufman, Van Zandt, Smith, Henderson, Anderson, Cherokee, Houston.

No. 4. Cooke, Grayson, Fannin, Denton, Collin, Hunt, Rockwall, Rains.

No. 5. Dallas.

No. 6. Ellis, Navarro, Hill, Free-stone, Limestone, Leon, Robertson.

No. 7. Madison, Brazos, Grimes, Walker, Montgomery, Waller, Austin, Fort Bend, Galveston, Brazoria.

No. 8. Harris.

No. 9. Calhoun, Victoria, Jackson, Matagorda, DeWitt, Lavaca,

Wharton, Gonzales, Colorado, Guadalupe, Fayette, Comal.

No. 10. Caldwell, Bastrop, Hays, Travis, Lee, Blanco, Burleson, Williamson, Llano, Burnet, Lampasas.

No. 11. Bosque, Hamilton, Coryell, McLennan, Falls, Bell, Milam.

No. 12. Parker, Tarrant, Hood, Johnson, Erath, Somervell.

No. 13. Wilbarger, Wichita, Clay, Montague, Knox, Baylor, Archer, Haskell, Throckmorton, Young, Jack, Wise, Stephens, Palo Pinto.

No. 14. Bexar.

No. 15. Kinney, Uvalde, Maverick, Zavala, Dimmit, Webb, Duval, Zapata, Jim Hogg, Starr, Hidalgo, Cameron.

No. 16. El Paso, Hudspeth, Culberson, Reeves, Jeff Davis, Presidio, Brewster, Pecos, Terrell, Val Verde, Crockett, Reagan, Upton, Crane, Ward, Loving, Winkler, Ector, Midland, Glasscock, Schleicher, Menard, Mason, Sutton, Kimble, Edwards, Real.

No. 17. Jones, Shackelford, Taylor, Callahan, Eastland, Sterling, Coke, Runnels, Coleman, Brown, Comanche, Irion, Tom Green, Concho, McCulloch, San Saba, Mills.

No. 18. Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parmer, Castro, Swisher, Briscoe, Hall, Childress, Hardeman, Motley, Cottle, Foard.

No. 19. Bailey, Lamb, Hale, Floyd, Cochran, Hockley, Lubbock, Crosby, Dickens, King, Yoakum, Terry, Lynn, Garza, Kent, Stonewall, Gaines, Dawson, Howard, Mitchell, Nolan, Borden, Scurry, Fisher, Andrews, Martin.

No. 20. Harrison, Gregg, Rusk, Panola, Shelby, Nacogdoches, Angelina, Trinity, Polk, San Jacinto.

No. 21. Gillespie, Kerr, Kendall, Bandera, Medina, Frio, Atascosa, La Salle, McMullen, Wilson, Karnes, Goliad, Bee, Live Oak, Refugio, San Patricio, Jim Wells, Nueces, Kleberg, Brooks, Kenedy, Willacy, Aransas.

Sec. 2. All laws or parts of laws conflicting herewith are hereby expressly repealed.

Sec. 3. The importance of this measure and desirability of expediting the procedure of the Legislature

creates an emergency, and imperative public necessity requiring that constitutional rules requiring bills to be read on three several days be suspended and that this action be in effect from and after its passage and said rules are so suspended and it is so enacted.

POAGE.

Committee Room,
Austin, Texas, Sept. 30, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Congressional Districts, to whom was referred

S. B. No. 52, A bill to be entitled "An Act declaring the State of Texas a Congressional District; providing for the election of three Congressmen from the State at large; providing for majority nomination of the said Congressmen; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

PARRISH, Chairman.

By Moore.

S. B. No. 52.

A BILL

To Be Entitled

An Act declaring the State of Texas a Congressional District; providing for the election of three Congressmen from the State at Large; providing for majority nomination of the said Congressmen; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The State of Texas shall comprise one Congressional District, from which there shall be elected three Congressmen, at the next preceding general election.

Sec. 2. The Congressmen referred to in Section 1 of this Act shall be nominated by majority vote as are other district officers of the State of Texas.

Sec. 3. Individuals who seek election to Congress from the State at Large shall file with the Secretary of State the place to which they aspire, namely: Place 1; Place 2, and Place 3.

Sec. 4. The fact that Texas is entitled to three additional Congressmen and the fact that it is imperative that some provision be made for elec-

tion of said Congressmen, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended in each house and this Act take effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, Sept. 30, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Congressional Districts, to whom was referred

S. B. No. 53, A bill to be entitled "An Act to amend Article 3109 of the Revised Civil Statutes of 1925, relating to Ballot at Primaries, repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

PARRISH, Chairman.

By Purl.

S. B. No. 53.

A BILL

To Be Entitled

An Act to amend Article 3109 of the Revised Civil Statutes of 1925, relating to Ballot at Primaries, repealing all laws or parts of laws in conflict herewith; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 3109 of the Revised Civil Statutes of 1925, relating to Ballot at Primaries, be amended so as to hereafter read as follows:

Art. 3109. Ballot at Primaries. The vote at all general primaries shall be by official ballot, which shall have printed at the head the name of the party and under such head the names of the candidates, those for each nomination being arranged in the order determined by the various committees as herein provided for, beneath the title of the office for which the nomination is sought, the voter shall erase or mark out all names he does not wish to vote for. The official ballot shall be printed in black ink upon white paper, and beneath the name of each candidate thereon for State and District offices there shall be printed the County of

his residence. The official Ballot shall be printed by the County Committee in each County which shall furnish to the presiding officer of the general primary for each voting precinct at least one and one-half times as many of such official ballots as there are poll taxes paid for such precinct, as shown by the tax collector's list. Where two or more candidates are to be nominated for the same office, to be voted for by the qualified voters of the State or the same district, county or precinct, such candidates shall be voted for and nominations made separately, and all nominations shall be separately designated on the official ballots by numbering the same "1," "2," "3," etc., printing the word "No," and designating the number after the title of the office for which such nominations are to be made. Each candidate for such nominations shall designate in the announcement of his candidacy, and in his request to have his name placed on the official ballot, the number of the nomination for which he desires to become a candidate, and the names of all candidates so requesting shall have their names printed beneath the title of the office and the number so designated. Each voter shall vote for only one candidate for each such nomination.

Sec. 2. That all laws or parts of laws in conflict herewith are hereby repealed.

Sec. 3. The urgency of the legislation herein sought to be enacted and the near approach of the close of the session, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

FOURTEENTH DAY

Senate Chamber,
Austin, Texas,
October 1, 1931.

The Senate met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following senators answering to their names:

Beck.
Cousins.
Cunningham.
DeBerry.
Gainer.
Greer.
Hardin.
Holbrook.
Hopkins.
Hornsby.
Loy.
Martin.
Moore.
Neal.
Oneal.

Parr.
Parrish.
Patton.
Poage.
Purl.
Rawlings.
Russek.
Small.
Stevenson.
Thomason.
Williamson.
Woodruff.
Woodul.
Woodward.

Absent—Excused.

Berkeley. Pollard.

Prayer by the Rev. A. W. Jones of Llano.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

House Bill No. 59.

Senator Parr called up from the table H. B. No. 59.

The committee report was adopted.

Read second time.

On motion of Senator Rawlings the bill was laid on the table subject to call.

House Bill No. 78.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 78, A bill to be entitled "An Act to amend Section 14, Article 7047, of the Revised Civil Statutes of 1925, relating to and imposing an occupation tax on loan brokers and defining same and providing for certain exceptions and declaring an emergency."

The committee report was adopted.

The committee amendment was read.

On motion of Senator Rawlings the bill was laid on the table subject to call.

House Bill No. 59.

Senator Parr called up from the table the following bill: